

On Appeal from the Territorial Court of the Virgin Islands

**BEFORE:**     **RAYMOND L. FINCH**, Chief Judge, District Court of the Virgin Islands; **THOMAS K. MOORE**, Judge of the District Court of the Virgin Islands; and **BRENDA J. HOLLAR**, Administrative Judge, Territorial Court of the Virgin Islands, Sitting by Designation.

**Henry Curtis Sampson**  
St. Croix, VI  
*Pro Se Appellant,*

**Victor A. Gold, Esq.**  
St. Croix, VI  
*Guardian Ad Litem.*

PER CURIAM

Henry Curtis Sampson ["Sampson"] brought this appeal seeking review of an order denying his petition for visitation with his minor children. At a July 13, 1998 hearing on the issue of visitation, Sampson appeared with counsel and testified on his own behalf. Sampson contends that the trial judge abused her

discretion in denying his petition, and challenges the fairness of the July 13, 1998 hearing. In setting forth his arguments, Sampson makes bald allegations that the trial judge did not interview the children individually prior to ruling that "it would not be in the best interest of the minor children to allow for said visitations at this time." *In the Matter of the Custody of HS, HS, RS, and MS, Minors*, No. C13/1996 (Terr. Ct. July 14, 1998) (order denying visitation).

The minors' *guardian ad litem* argues, on the other hand, that he met with the children on the day preceding the hearing in question and discussed the matter of visitation with each of them. Moreover, the *guardian ad litem* contends that he was present at the court when the trial judge met with each of the children privately.

Sampson's allegations that the trial judge abused her discretion and did not interview the children are unsupported by the evidence. This Court, having reviewed the findings of fact under a clearly erroneous standard, finds that the trial judge's ruling is supported by the fact that Sampson is currently serving a life sentence for the murder of the children's mother. Additionally, after having given due regard to the trial court's opportunity to assess witness credibility, this Court finds that the trial judge's decision after hearing Sampson's testimony as well as that of the minor children is not clearly erroneous.

Accordingly, it is hereby

**ORDERED** that the July 14, 1998 order denying visitation is  
**AFFIRMED.**

**DONE AND SO ORDERED** this 29 day of September 2000.

**A T T E S T:**  
**ORINN ARNOLD**  
**Clerk of the Court**

**/s/**  
**By: \_\_\_\_\_**  
**Deputy Clerk**

**Copies to:**

Judges of the Appellate Panel  
Judges of the Territorial Court  
Honorable Jeffrey L. Resnick  
Honorable Geoffrey W. Barnard

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